

**MONTANA STATE HOSPITAL  
POLICY AND PROCEDURE**

**TOBACCO USE**

**Effective Date:** October 13, 2005

**Policy #:** ADM-07

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**I. PURPOSE:**

- A. To specify limitations on smoking and tobacco use at Montana State Hospital for patients and employees.
- B. To promote a safe, healthy environment for patients and staff.
- C. To comply with requirements of Montana's "Clean Indoor Air Act" effective on October 1, 2005.

**II. POLICY:**

- A. Montana State Hospital will maintain compliance with all requirements of Montana's Clean Indoor Air Act and other applicable provisions of state and federal law.
- B. Montana State Hospital will establish smoke-free zones near building entrances and in other designated areas.
- C. Employees are prohibited from smoking while using maintenance equipment such as lawnmowers, snowplows, etc. outdoors.
- D. The same prohibitions that exist on smoking will apply to the use of smokeless tobacco products. For example, use of chewing tobacco indoors or in state owned vehicles is prohibited.
- E. Employees are not required to enter outdoor courtyards or smoking shacks while others are smoking. Employees may not be required to supervise patients while patients smoke. Employees may voluntarily accompany patients to smoking areas in accordance with unit rules.
- F. Transitional Living Units (Group Homes) on the Hospital Campus are public facilities and are subject to all provisions of this policy and the Montana Clean Indoor Air Act.
- G. Employee housing units including lawn areas are considered to be private residences where indoor tobacco use is not restricted.

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- H. It is recognized that tobacco use is a very sensitive and often emotional subject for both smokers and non-smokers. MSH will attempt to balance the rights and interests of all individuals along with those of the organization in developing and enforcing this policy.

### III. DEFINITIONS:

- A. Smoke or Smoking - means the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar, pipe, or smoking paraphernalia used for consuming the smoke of tobacco or any other burning product.
- B. Staff - includes employees of the state of Montana and people under contract to provide services for the hospital.
- C. Tobacco or Tobacco Products - means any product containing tobacco, including, but not limited to cigarettes, cigars, loose-leaf tobacco, snoose, snuff, etc.
- D. Smoking Paraphernalia - includes items such as lighters, matches, altered batteries, cigarette papers, rolling machine, and other items that would facilitate one in smoking.

### IV. RESPONSIBILITIES:

- A. All employees are required to adhere to the requirements of state law and all provisions of this policy. Employees will respectfully inform patients, visitors, and anyone else of the requirements of state law and hospital policy.
- B. All supervisors are responsible for communicating the content of this policy and enforcing its implementation.
- C. Staff Development is responsible for orienting all new employees and contract employees on this policy.

### IV. PROCEDURE:

- A. General procedures
  - 1. Use of tobacco or tobacco products is prohibited in all publicly used buildings on the Warm Springs Campus with the exception of private residences in the employee housing area. Smoking is prohibited in the Transitional Living Units (group homes) on the Warm Springs Campus.
  - 2. Shelters located on the Hospital grounds that are not enclosed with doors and windows are not considered buildings under this policy and are locations

where smoking or other tobacco use may be permitted. Courtyards or fenced enclosures outside of patient units in which outdoor air circulates freely are not considered buildings and smoking or other tobacco use may be permitted.

3. "No Smoking" signs will be posted at all building entrances used by the public indicating that the building is smoke free.
4. "No Smoking" signs will be posted in outdoor locations where smoking is prohibited. In general, this will be near building entrances. Smoking is prohibited within 50 feet of entrances in these designated locations. Signs will also be posted in areas where flammable liquids, combustible gases, or oxygen is used or stored.
5. Tobacco use is not permitted in state owned vehicles or when operating other state owned motorized equipment such as lawnmowers, snowplows, tractors, etc.
6. Smoking cessation or reduction education and support will be available to all patients. Nicotine replacement aids are available to patients as ordered by physicians.
7. Upon admission all lighters and matches will be stored with patient valuables.
8. Recognizing tobacco use as an addiction, patient tobacco use will be restricted and treated as appropriate in accordance with the guiding principles of the organization.
  - a) Patients will be allowed to carry their own tobacco products, unless restricted by a physician's order or program procedures. MSH will not replace tobacco products lost while in the patients' possession.
  - b) Tobacco use is permitted in designated areas on the hospital campus.
    - 1) Patients with campus pass may use tobacco products during their campus pass in approved tobacco use areas.
    - 2) A total of six tobacco use times, a maximum of fifteen minutes in duration, will be scheduled for patients who do not have campus pass. These may take place in the unit courtyard or other suitable location that provides for patient supervision. In all cases, therapy groups will take priority over smoking.

- 3) Treatment teams will schedule and ensure access to clean smoke-free outdoor areas for non-smokers.
- 4) Any patient using tobacco MUST be able to do so independently in a safe manner. When questions are raised as to whether or not a patient can safely smoke, the treatment team will evaluate the patient. If it is determined the patient cannot smoke in a safe manner due to physical or psychiatric limitation(s), the treating physician will write an order describing the restriction, making a progress note with the rationale. Any restriction(s) will be placed on the individual's treatment plan and reviewed at least quarterly or at the time of a significant change.

Staff members will NOT physically assist patients in tobacco use, though intervention may occur in the event of a safety problem.

- c) All individuals may purchase tobacco products through the Canteen. Sales may occur in accordance with state law.
- d) Patients interested in treatment for this addiction will have appropriate care interventions identified on their treatment plan. Treatment plan interventions will also be entered to address significant behavior problems associated with tobacco use.
- e) Staff will offer counseling support and problem solving assistance to help patients identify potential solutions to address addiction issues. Supportive and educational strategies will be used consistently by hospital staff to engage patients in treatment for tobacco addiction.
- e) It is recognized that some patients will not understand the smoking rules or will deliberately disobey them. In this event, the type and level of intervention by staff will be commensurate with the safety risk presented by the patient.

B. Procedures related to staff, visitors, and guests.

1. Staff and visitors may smoke at the designated tobacco use areas on campus and in private vehicles.
2. Supervisors have the authority to place limits on staff smoking during those times when staff are supervising patient smoking in order to assure that other responsibilities are carried out.
3. Employees who fail to abide by this policy will be subject to disciplinary action up to and including termination.

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Hospital Administrator